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Counsel for Defendant,  
TRI MINH DAO

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. CR 13-00580 RMW
	)	
Plaintiff,	)	<b>STIPULATION TO CONTINUE PLEA</b>
	)	<b>HEARING; <input type="checkbox"/> ORDER</b>
vs.	)	
	)	
TRI MINH DAO,	)	
	)	
Defendant.	)	
_____	)	

**STIPULATION**

Defendant Tri Minh Dao, by and through Assistant Federal Public Defender Rita Bosworth, and the United States, by and through Assistant United States Attorney Gary Fry, hereby stipulate that, with the Court's approval, the change of plea hearing currently set for August 31, 2015, at 9:00 a.m., shall be continued to September 14, 2015, at 9:00 a.m.

The reason for the requested continuance is that the parties have not finalized the plea agreement yet. Mr. Dao does intend to change his plea at the next appearance and the parties have agreed upon terms, but the government is still awaiting final approval of the language of the plea agreement. In order to assure that Mr. Dao has enough time to review the agreement with counsel prior to his hearing, the parties jointly request a brief continuance.

Stipulation to Continue Hrg.;  
☐ Order  
No. CR 13-00580-RMW

1 The parties agree that the time between August 31, 2015, and September 14, 2015, is  
2 excludable under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for effective  
3 preparation by defense counsel.

4 IT IS SO STIPULATED.

5 Dated: August 26, 2015

6 s/  
7 RITA BOSWORTH  
Assistant Federal Public Defender

8 Dated: August 26, 2015

9 s/  
10 GARY FRY  
Assistant United States Attorney

11 **□ ORDER** \_\_\_\_\_

12 GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY  
13 ORDERED that the status hearing shall be continued from August 31, 2015 to September 14,  
14 2015 at 9:00 a.m.

15 It is further ordered that the time from August 31, 2015, and September 14, 2015, shall be  
16 excluded from the computation of time within which trial shall commence under the Speedy  
17 Trial Act, as the reasonable time necessary for effective preparation of counsel, pursuant to Title  
18 18, United States Code Section 3161(h)(7)(A) and (h)(7)(B)(iv).

19 IT IS SO ORDERED.

20 Dated: 1 10, 2015

21   
22 THE HONORABLE RONALD M. WHYTE  
23 United States District Court Judge  
24  
25  
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